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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11
12 Plaintiff,
13 v.
14 LATASHA WHITE,
15 Defendant.

Case No. 2:22-cr-00228-BNW-1

**JOINT STATUS REPORT AND
STIPULATION TO VACATE
STATUS CONFERENCE**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,
17 United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Joy Chen,
19 Assistant Federal Public Defender, counsel for Latasha White, that the status conference
20 currently scheduled on November 16, 2023, be vacated; that the defendant's guilty plea to
21 Operating a Motor Vehicle while Under the Influence of Alcohol, 43 C.F.R. § 8341(f)(3),
22 N.R.S. § 484C.110.1(a), be withdrawn; that the government be permitted to amend Count One
23 of the Complaint to Reckless Driving, 36 C.F.R. § 4.2(b), N.R.S. § 484B.653; that the
24 defendant's original guilty plea and sentence be applied to the amended count; and that the
25 defendant's remaining term of unsupervised probation be discharged at this time.

26 This Stipulation is entered into for the following reasons:

1 1. On April 21, 2023, the defendant appeared before this Court for change of plea
2 and sentencing. ECF No. 23. At that appearance, the defendant pleaded guilty to Count One
3 of the Complaint, for Operating a Motor Vehicle while Under the Influence of Alcohol (DUI),
4 in violation of Title 43 C.F.R. § 8341(f)(3), N.R.S. 484C.110.1(a). *Id.*

5 2. Pursuant to the parties' plea agreement, the defendant agreed to be sentenced
6 to unsupervised probation for one year; pay a \$500.00 fine or complete 50 hours of
7 community service and pay a \$10.00 penalty assessment; attend and complete lower court
8 DUI course and victim impact panel; and complete an eight (8) hour online alcohol awareness
9 course. ECF Nos. 23, 24. The parties agreed that if the defendant successfully completed her
10 obligations within the first six months of her unsupervised probation, the parties would jointly
11 move to allow the defendant to withdraw her guilty plea to Count One of the Complaint and
12 the government would move to amend Count One to reckless driving. *Id.* The Court set a
13 status conference for November 16, 2023. ECF No. 23.

14 3. As of November 15, 2023, the defendant has completed all of the conditions
15 set forth in the parties' agreement. Defense counsel has provided proof of completion of
16 classes to the government, and has confirmed with the Clerk's Office that the defendant has
17 paid the \$500.00 fine and \$10.00 penalty assessment.

18 4. The parties therefore respectfully request that this Court vacate the status
19 conference set for November 16, 2023.

20 5. The parties further request that this Court permit the defendant to automatically
21 withdraw her guilty plea to DUI. The government now moves to amend Count One of the
22 complaint to Reckless Driving, a violation of Title 36, C.F.R., Section 4.2(b), N.R.S. Section
23 484B.653, a class B misdemeanor. The parties request that this Court impose the defendant's
24 previously entered guilty plea to the amended reckless driving count.

25 6. Finally, the parties request that this Court early terminate the defendant's
26 probation and close her case, pursuant to 18 U.S.C. § 3564(c), which provides that this Court

1 may “pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the
2 modification of probation, terminate a term of probation previously ordered and discharge the
3 defendant at any time in the case of a misdemeanor... if it is satisfied that such action is
4 warranted by the conduct of the defendant and the interest of justice.”

5
6 DATED this 16th day of November, 2023.

7
8 RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

9
10 By /s/ Joy Chen

By /s/ Imani Dixon

11 JOY CHEN
12 Assistant Federal Public Defender

IMANI DIXON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 LATASHA WHITE,

7 Defendant.

Case No. 2:22-cr-00228-BNW-1

8 FINDINGS OF FACT AND ORDER

9 FINDINGS OF FACT

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds that:

12 1. On April 21, 2023, the defendant appeared before this Court for change of plea
13 and sentencing. ECF No. 23. At that appearance, the defendant pleaded guilty to Count One
14 of the Complaint, for Operating a Motor Vehicle while Under the Influence of Alcohol (DUI),
15 in violation of Title 43 C.F.R. § 8341(f)(3), N.R.S. 484C.110.1(a). *Id.*

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2 set forth in the parties' agreement. Defense counsel has provided proof of completion of
3 classes to the government, and has confirmed with the Clerk's Office that the defendant has
4 paid the \$500.00 fine and \$10.00 penalty assessment.

ORDER

IT IS THEREFORE ORDERED that:

1. The status conference set for November 16, 2023, at 9:30 a.m. is vacated.
2. Count One of the guilty plea is amended to Reckless Driving in violation of 36 C.F.R. §4.2(b), N.R.S. Section 484B.653; and
3. Defendant's probation is terminated immediately.

DATED this 16th day of November, 2023.



UNITED STATES MAGISTRATE JUDGE